

Appl. No. 10/773,927
AMENDMENT AFTER FINAL OFFICE ACTION PURSUANT TO 37 CFR 1.116
December 6, 2006

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Amendments to the Claims:

This listing of claims will replace all prior versions of claims in the application:

Listing of Claims:

What is claimed is:

1. (Cancelled).

2. (Cancelled).

3. (Cancelled).

4. (Amended) ~~The artificial eye assembly of claim 2~~ An artificial eye assembly for an animated plush toy operative to animate a portion of plush contiguous to the eye assembly comprising:

one or more transparent, spherical members having a convex surface and a concave surface;

at least one three-dimensional border member partially surrounding and unitary with said one or more transparent, spherical members; and

a plush-engaging member integral with said one or more transparent, spherical members with the plush affixed thereto for movement of the plush with the eye assembly, wherein the plush-engaging member comprises a shaped member extending from the three-dimensional border member, and a retaining post , wherein the shaped member further comprises:

a stem attached to the three-dimensional border element; and
a crossplate with a forward edge.

5. (Original) The artificial eye assembly of claim 4, wherein the crossplate is curved to substantially correspond with the radial curvature of the spherical member.

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6. (Amended) The artificial eye assembly of claim ~~[[2]]~~ 4, wherein the shaped member further comprises: ~~a stem attached to the three-dimensional border element; and~~
a boss and screw for securing the plush engaging member.

7. (Original) The artificial eye assembly of claim 5, wherein the crossplate resembles an eyelid when covered with plush.

8. (Amended) The artificial eye assembly of claim ~~[[1]]~~ 12, wherein the spherical members are mirror images of each other.

9. (Amended) The artificial eye assembly of claim ~~[[1]]~~ 12, further comprising a second transparent, spherical member having a convex surface and a concave surface, and a rod interconnecting said one or more transparent, spherical members with the a second transparent, spherical member.

10. (Previously Presented) The artificial eye assembly of claim 9 wherein the rod is operable to effect coordinated movement of the spherical members.

11. (Previously Presented) The artificial eye assembly of claim 9 wherein the rod is operable to effect independent movement of the spherical members.

12. (Previously Presented) An artificial eye for a toy wherein the toy comprises a body and a flexible body cover, the eye operative to animate a portion of body cover contiguous to the eye and comprising:

a transparent, spherical member having a convex surface and a concave surface;
at least one three-dimensional border member partially surrounding and unitary with the spherical member; and
a cover-engaging member integral with the spherical member and radially spaced from said three-dimensional border member with the flexible body cover provided for

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being inserted between said three-dimensional border member and the cover-engaging member for being secured therein.

13. (Cancelled).

14. (Amended) The artificial eye of claim 12 wherein the a pupil and iris are painted in the concave surface of the spherical member.

15. (Amended) The artificial eye of claim 12, wherein the a pupil and iris are inserted into the concave surface of the spherical member.

16. (Original) A method of attaching a plush covering of a toy to a movable artificial eye assembly to effect animation of the covering, wherein each eye of the assembly includes a retaining post and a plush engaging member having a stem with attached crossplate radially spaced from the eye, and the covering includes openings and a flap attached to a portion of each opening, wherein the flap is forked in two branches, each branch having a hole at its free end, the method comprising:

inserting a toy body into the plush covering;

aligning the body with the openings in the plush covering;

inserting the flaps into the body;

disposing the artificial eye assembly within the body;

for each eye of the assembly inserting the first and second branch of the flap between the crossplate and eye, each branch separated by the stem;

stretching the first branch across the back of the eye and placing the hole of the free end onto the retaining post; and

stretching the second branch across the back of the eye, partially overlapping the first branch and placing the hole of the free end onto the retaining post.

17. (Cancelled).

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18. (Amended) The artificial eye of claim ~~{{21}}~~ 22 wherein the plush-engaging member further comprises:

a shaped member extending from the three-dimensional eyelid member; and
a retaining post.

19. (Previously Presented) The artificial eye of claim 18 wherein the retaining post is diametrically opposite the shaped member.

20. (Cancelled).

21. (Cancelled).

22. (Amended) ~~The artificial eye of claim 21~~ An artificial eye assembly for an animated plush toy operative to animate a portion of plush contiguous to the eye assembly comprising:

one or more transparent, spherical members having a convex surface and a concave surface;

at least one three-dimensional border member partially surrounding and unitary with said one or more transparent, spherical members; and

a plush-engaging member integral with said one or more transparent, spherical members receiving the portion of the plush contiguous to the eye assembly being inserted between said three-dimensional border member and the plush-engaging member extending the plush behind said one or more transparent, spherical members and affixed thereto for movement of the plush with the eye assembly, wherein said plush-engaging member is radially spaced atop said three-dimensional border member with the flexible body cover plush provided for being inserted between said three-dimensional border member and said plush-engaging member.

23. (Amended) The artificial eye of claim ~~{{21}}~~ 22, wherein said three-dimensional border member comprises one or more of an eyelid, tear duct, or ocular muscle.

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Please add the following new claims:

24. (New) The artificial eye of claim 4, wherein said three-dimensional border member comprises one or more of an eyelid, tear duct, or ocular muscle.

25. (New) The artificial eye of claim 12, wherein said three-dimensional border member comprises one or more of an eyelid, tear duct, or ocular muscle.

26. (New) The artificial eye of claim 22 wherein a pupil and iris are painted in the concave surface of the spherical member.

27. (New) The artificial eye of claim 22, wherein a pupil and iris are inserted into the concave surface of the spherical member.